

REMARKS

Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Rejections Under Section 112:

The Examiner has rejected claim 26 and all claims that depend therefrom under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner contends that there is no support in the original disclosure for the limitation: "wherein the casting step includes pouring the molten alloy into a casting mold, and solidifying the molten alloy." Applicants have cancelled that objectionable language from the claim herein, thereby overcoming the rejection. No new search is required, since the cancelled limitations are not needed in the claim since they recite what is already common knowledge, as noted in the Office Communication.

Response to Rejections Under Section 103:

Independent claim 26 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Genereux et al. (US 4,769,087) in view of *Metals Handbook*.

Claim 26 includes the limitation that the overaging heat treatment be carried out at a cooling rate of 2-3 °C/min.

In contrast, Genereux requires that the overaging heat treatment be carried out at a cooling rate of less than about 15 °F/hour, which converts to less than 0.138888 °C/min. (see column 5, lines 9-10.) Thus, Genereux teaches away from the limitations of claim 26, and the secondary reference of *Metals Handbook* does not correct this deficiency. Accordingly, no *prima facie* case for obviousness has been established, and claim 26 (and all of the dependent claims) should be allowed.

(Please proceed to the next page.)

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, Applicants respectfully request that the Examiner reconsider the rejections and timely pass the application to allowance. All correspondence should continue to be directed to our below-listed address. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: Sept. 23, 2009

By: Janet D. Hood
Janet D. Hood
Registration No. 61,142
(407) 736-4234

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830